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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,224	03/06/2001	Branko D. Kovacevic	ATI.0100450	3321
34456	7590	08/25/2005	EXAMINER	
TOLER & LARSON & ABEL L.L.P. 5000 PLAZA ON THE LAKE STE 265 AUSTIN, TX 78746			YENKE, BRIAN P	
			ART UNIT	PAPER NUMBER
			2614	
DATE MAILED: 08/25/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/800,224

Applicant(s)

KOVACEVIC, BRANKO D.

Examiner

BRIAN P. YENKE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment, 21 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-32 is/are allowed.
- 6) ☒ Claim(s) 1-15 and 33-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's arguments filed 21 June 2005 have been fully considered but they are not persuasive.

#### ***Applicant's Arguments***

a) Regarding amended claims 1 and 33, applicant states that Cooper does not transfer the audio data to memory in response to assertion of a first register portion. Applicant states that Cooper initiates the transfer of stored audio data when the read address generator receives the pulse from a comparator.

#### ***Examiner's Response***

a) Given the broadest interpretation of the claimed invention, since Cooper initiates the transfer of stored audio data wherein the input audio from A/D 45C is stored in Audio RAM Memory 43C based upon the synchronization of the audio and video data, the reading/writing of the audio data to memory is in response to the assertion of the video and audio being synchronized.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-7 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Cooper, US 5,202,761.

In considering claims 1-2, 4-7 and 15

*a) the claimed identifying a first portion...* is met by pulse encoder a (Fig 5)

*b) the claimed identifying a second portion...* is met by A-D 45C (Fig 5)

*c) the claimed processing the first portion...* is met by video processing circuit 58 (Fig 5)

*d) the claimed processing the second portion...* is met by A-D 45C

*e) the claimed transferring the audio data...* is met by A-D 45C which transfers the audio data to AUDIO RAM Memory 43C

*f) the claimed delaying the transfer of audio data...* is met by Audio Ram Memory 43c which transmits audio data to D-A 47C based upon the delay of the video signal.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3a. Claims 3, 8-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper, US 5,202,761.

In considering claim 3,

Cooper does not explicitly recite deinterlacing. However, the process of deinterlacing a received video signal is conventional in the art as disclosed by applicant's background (page 2, line 7-18) in order to remove sub-sampling artifacts for output to a progressive, non-interlaced, display.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cooper which discloses the synchronization of audio with video, by also deinterlacing a received image, in the event the user's display is a non-interlaced display, in order to provide a artifact free image for the user.

In considering claims 8-10,

Cooper does not explicitly recite a digital broadcast, or a packetized multiplexed signal (i.e. an MPEG type). Cooper discloses a system, which synchronizes the audio with the video.

The reception of digital broadcast or packetized multiplexed signal (i.e. MPEG) are conventional in the art, based upon the users desired access and geographical region. Thus a user could received digital cable or a digital broadcast signal if provided/desired.

Thus the examiner takes "OFFICIAL NOTICE" regarding a system, which can receive either an analog, digital or a packetized multiplexed signal.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cooper which discloses the reception of analog video/audio signals, by allowing the user to also received digital or packetized multiplexed signals if available to afford the user a larger selection of media programs.

In considering claims 11-12,

Cooper also does not explicitly recite the conventional feature of a PIP being generated.

The use of a PIP which combines to channels/sources whether analog and digital or analog and analog is notoriously well known in the art. Thus the examiner takes "OFFICIAL NOTICE" regarding such a feature.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cooper which discloses the synchronization of audio and video, by allowing the user to view more than one channel/source if desire.

In considering claims 13-14,

Cooper does not explicitly recite the transferring of audio data using a first channel or second channel of a data port.

However, the use of a bus which would require a first and second channel in order to transfer data between two devices is conventional in the art. Thus the examiner takes "OFFICIAL NOTICE" regarding such a device.

3b. Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,202,761 in view of Cooper, US 6,836,295.

In considering claim 33-35,

For limitations a-d refer to rejection of claim 1 above.

Cooper does not explicitly recite the use of a computer readable medium.

However, the use of such a medium is in the field of endeavor as disclosed by Cooper, US 6,386,295 (para 5, line 34-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cooper, '761 which discloses a synchronization system, by allowing the user to perform the method of the system via software (computer

readable medium) in order to allow the user to use either hardware and/or software in performing the procedure.

In considering claim 36,

The combination of Cooper '761 and '295 does not explicitly disclose analyzing the presentation times to determine the delay.

However, as disclosed by applicant's background, the analysis of presentation times stamps in determining the delay is conventional in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Cooper '761 and '295 which discloses an audio/video synchronization method which may be performed in hardware and/or software by analyzing the received times stamps in the received signal if available, to determine the required delay, if any between the audio and video.

***Allowable Subject Matter***

4. Claims 16-32 are allowed.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571) 272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (571)272-7352.

**Any response to this action should be mailed to:**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**or faxed to:**

**(571)273-8300**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

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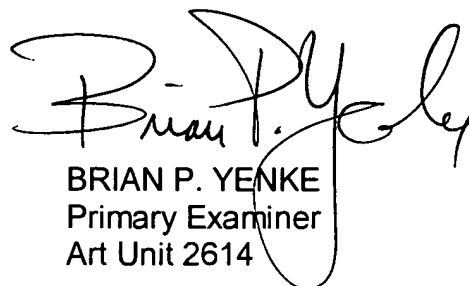
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also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.



B.P.Y.  
22 August 2005



BRIAN P. YENKE  
Primary Examiner  
Art Unit 2614